

STATE OF NEVADA

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Members of the Board

PHILIP E. LARSON, Chairman
BRENT C. ECKERSLEY, ESQ., Vice-Chairman
SANDRA MASTERS, Board Member



BRUCE BRESLOW
Director

BRUCE K. SNYDER
Commissioner

YVONNE V. MARTINEZ
Executive Assistant

DEPARTMENT OF BUSINESS AND INDUSTRY
**LOCAL GOVERNMENT EMPLOYEE-MANAGEMENT
RELATIONS BOARD**

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August 21, 2014

**MINUTES OF THE MEETING OF THE LOCAL GOVERNMENT
EMPLOYEE-MANAGEMENT RELATIONS BOARD**

A board meeting of the Local Government Employee-Management Relations Board, properly noticed and posted pursuant to the Nevada Open Meeting Law, was held on **Tuesday, August 19, 2014**, at the hour of 9:00 a.m. and continuing on **Wednesday, August 20, 2014** at the **Local Government Employee-Management Relations Board, 2501 East Sahara Avenue, Room 203, Las Vegas, NV 89104.**

The following Board members were present:

Philip E. Larson, Chairman
Sandra Masters, Vice - Chairman
Brent C. Eckersley, Esq., Board Member

Agency staff present:

Bruce K. Snyder, EMRB Commissioner
Yvonne Martinez, EMRB Board Secretary
Scott Davis, Esq., Deputy Attorney General

Others present:

Jonathan Cohen, Attorney for SEIU International
Esther Rodriguez, Attorney for PBU
Michael Urban, Attorney for SEIU, Local 1107
Martin Bassick, SEIU, Local 1107
Susan Dillow, Physicians Bargaining Unit
Jeffrey Pitegoff, Attorney, UMC
Brad Walker, Physicians Bargaining Unit
Malanie Kotchka, Attorney for City of NLV
Claudia Aguayo, Attorney for City of NLV
Adam Levine, Attorney for Frabbiele
Timothy Frabbiele
Joseph Chronister, Police Chief, City of NLV

The Agenda:

- Item 1** The Board meeting was called to order by Philip E. Larson, Chairman, on Tuesday, August 19, 2014.
- Item 2** Public Comment.
No public comment was offered.
- Item 3** Board Organizational Matters.
Chairman Larson reported on the status of his request to be reappointed to the Board, stating he has yet to hear official word of his reappointment. The Board thereupon unanimously elected Philip E. Larson as the Chairman and Brent C. Eckersley, Esq. as the Vice-Chairman for the coming year.
- Item 4** Approval of the Minutes.
The Board approved the minutes as presented for the meeting held on July 10, 2014.
- Item 5** Hearings.
A. Consolidated Case No. A1-045846 – A1-045864. Deborah Boland, M.D., a Local Government Employee and member of the UMC Physicians' Bargaining Unit of Nevada Service Employees Union, SEIU Local 1107, AFL-CIO, et al v. Nevada Service Employees Union, SEIU Local 1107, AFL-CIO. and Service Employees International Union, AFL-CIO, CLC. *The attorneys of record and an attorney for University Medical Center attended the hearing and exchanged their documents in response to the multiple subpoenas that had been issued in the case. All parties agreed that the case would be ready for the hearing on the liability issues in December as planned and that they would be amenable to the scheduling of a second pre-hearing conference between now and then. The hearing was then recessed until December.*
B. Case No. A1-045929, Timothy Frabbiele v. City of North Las Vegas.
The Board heard oral arguments from both parties to the case and postponed any deliberations until a future Board meeting.
- Item 6** Deliberations/Discussions/Pronouncements of Orders.
A. Stipulations.
1. Case No. A1-046082, Service Employees International Union, Local 1107 v. University Medical Center. *Upon motion, the Board dismissed the case with prejudice pursuant to the request of the Complainant, including vacating the hearing in the case, which had not currently been scheduled.*

2. Case No. A1-046099, July Wright v. Lyon County, Jeffery A. Page in his official capacity as Lyon County Manager and Robert Auer in his official capacity as Lyon County District Attorney. *Upon motion, the Board granted the Stipulation and Order to Extend the Deadline to Submit Pre-Hearing Statements, as presented, thus extending the deadline to July 21, 2014. Commissioner Snyder noted that the Pre-Hearing Statements have already been received.*
3. Consolidated Case No. A1-046119 & A1-046121, Shannon D'Ambrosio v. Las Vegas Metropolitan Police Department. *Upon motion, the Board granted the Stipulation and Order Continuing Pre-Hearing Statements, as presented, thus extending the deadline from August 13, 2014 to October 14, 2014.*

B. Motions and Other Pleadings.

1. Case No. A1-046099, July Wright v. Lyon County, Jeffery A. Page in his official capacity as Lyon County Manager, and Robert Auer in his official capacity as Lyon County District Attorney. *Upon motion, noting that no opposition had been filed in response to the Notice of Settlement, the Board dismissed the case with prejudice with Respondents paying attorney's fees and costs in accordance with the parties' Settlement Agreement.*

C. Cases in the Queue for Possible Future Hearing.

1. *Upon request by Commissioner Snyder the Board took no action on any of the cases in the queue and tabled all such items until the September 9, 2014 Board meeting.*

Item 7 Schedule of Board meetings.

The Board reviewed the proposed schedule for the remainder of the calendar year.

Item 8 Status of Cases and update of legal matters by the Nevada State Attorney General's Office.

Deputy Attorney General Scott Davis gave an oral presentation on the status of the various cases either on judicial review or on appeal at the Nevada Supreme Court.

Item 9 Status of Cases by Commissioner.

Commissioner Snyder reviewed the open case log, which was distributed to the Board members.

Item 10 Agency Personnel, Administrative & Budget Matters.

A. Performance evaluation of the Commissioner.

Each of the Board members commented on the performance of Commissioner

Snyder. The overall evaluation of Commissioner Snyder by each member of the Board was very good and is a part of the record for this monthly meeting of EMRB, signed; Philip Larson, EMRB Chairman 8/20/2014.

- B. Alternative means of scheduling cases for hearing.
Commissioner Snyder discussed a proposal for overbooking cases, knowing that some of them might settle, leaving the Board with an average of one hearing per month. Upon further discussion everyone agreed to Vice-Chairman Eckersley's proposal to table the item until January to first determine the extent to which settlement conferences may reduce the backlog of cases. Other possibilities were discussed and will be revisited in January.
- C. Status report on proposed new facilities.
Commissioner Snyder gave an overview of the proposed new Las Vegas facility for the Department of Building & Industry and mentioned how the EMRB would be impacted or benefit from the new building. He specifically mentioned the availability of six common hearing rooms with audio-visual capabilities. In response to a question, the Commissioner mentioned that the next step would be to receive approval for the facility in the next legislative session.
- D. Initial presentation of proposed regulations.
Commissioner Snyder presented proposed changes to the agency's regulations pertaining that would streamline the processing documents and clarify information to be provided in the annual filings. The Board came to a consensus that these should be proposed at an upcoming workshop to tentatively be held in October. Commissioner Snyder then presented ideas previously presented by others concerning the procedure for the handling of representation elections. The consensus was for the workshop was to distribute a prior proposal of the agency from several years ago, but to use that document only as an example and to solicit from comments at a workshop on any and all aspects of regulations pertaining to the handling of elections.
- E. Presentation of new website.
Commissioner Snyder mentioned that Executive Assistant Yvonne Martinez would be available Tuesday afternoon to give a demonstration of our draft new website to any Board member that wanted a demonstration.
- F. Other administrative matters.
There were no other administrative matters to bring forward at this time.

Item 11

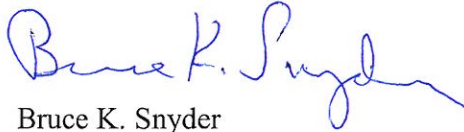
Items for future agendas.

Chairman Larson requested that Item 10-B be placed on the January agenda for another review of whether the method of scheduling cases would need to be changed.

Item 12 Public Comment.

Attorney Adam Levine stated that the state government should provide free wi-fi service in its buildings for those conducting business with the state.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Bruce K. Snyder", with a stylized flourish at the end.

Bruce K. Snyder
EMRB Commissioner